

STEVEN G. KALAR,  
Federal Public Defender  
MANUEL U. ARAUJO  
Assistant Federal Public Defender  
160 West Santa Clara Street, Suite 575  
San Jose, CA 95113  
Telephone: (408) 291-7753  
Counsel for Defendant BORKENHAGEN

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR -12-00527- PSG
	)	
Plaintiff,	)	
	)	<b>STIPULATION TO CONTINUE THE</b>
v.	)	<b>STATUS HEARING TO JUNE 6, 2013;</b>
	)	<b><del>PROPOSED</del> ORDER</b>
KATHLEEN BORKENHAGEN,	)	
	)	
Defendant.	)	<u>HONORABLE PAUL S. GREWAL</u>

**STIPULATION**

Defendant and the government, through their respective counsel, subject to the court's approval, hereby stipulate that the Court continue the status hearing in the above-captioned matter, presently scheduled for April 15, 2013, at 9:00, to June 6, 2013, at 10:30 a.m., or at an hour convenient to the court. The reason for the stipulation is as follows. Counsel for the defense is continuing his investigation. Counsel ordered and paid for what it considers relevant tax returns from the Internal Revenue Service. The defense has received some records from the IRS, but is still attempting to obtain other IRS filings related to the defendant. The defendant and the government need additional time to review the documents and negotiate a resolution of the

1 matter. For these reasons, defense counsel needs additional time to complete his investigation  
2 and negotiate a disposition.

3 The parties further agree and stipulate that the time from and including April 15, 2013,  
4 through and including June 6, 2013, should be excluded pursuant to Speedy Trial Act, 18 U.S.C.  
5 §3161(h)(7)(A) and (B)(iv) to provide counsel reasonable time to prepare. Accordingly, the  
6 United States and the defendant agree that granting the requested exclusion of time will serve the  
7 interest of justice and outweigh the interest of the public and defendant in a speedy trial.

8 Dated: April 11, 2013

9 /s/  
MANUEL ARAUJO,  
Assistant Federal Public Defender

11 Dated: April 11, 2013

12 /s/  
Timothy J. Lucy,  
Assistant United States Attorney

13  
14  
15 **~~PROPOSED~~ ORDER**

17 Good cause appearing and by stipulation of the parties, it is hereby ordered that the  
18 hearing in the above-captioned matter is continued from April 15, 2013, at 9:00 a.m., to June 6,  
19 2013, at 10:30. It is further ordered that the period of delay from April 15, 2013, through and  
20 including June 6, 2013, be excluded for purposes of Speedy Trial Act computations pursuant to  
21 Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

22 Dated: April 11, 2013

23   
HONORABLE PAUL S. GREWAL,  
United States Magistrate Judge

24  
25  
26 Stipulation to Continue Status Hearing;

~~Proposed~~ Order

No. -12-00527- PSG